

AMENDED
**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 20 1990
Returned to applicant for correction FEB 26 1991
Corrected application filed APR 12 1991
Map filed APR 22 1991

The applicant **Charles Ellison/James Ellison**, hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **Proof #00242, Claimant Charles Clubine Humboldt River Adjudication, the Edwards Decree Original map filed in Winnemucca Court House under Case #2804**

1. The source of water is **Humboldt River**
2. The amount of water to be changed **Same as Decreed (1078.04 acre ft/season)**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Same as Decreed**
5. The water is to be diverted at the following point **from which the NW Corner of Section 11, T.35 N., R.56 E., bears N 14°07'57" W, a distance of 3,915.12, where said point is in the NW¼ SW¼ of Section 11, T.35 N., R.56 E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **SW¼ SE¼ SW¼ Section 11, T.36 N., R.56 E., as shown on decreed map of Proof 00242.**
7. Proposed place of use **as listed in the Humboldt River Adjudication (Blue Book), The Edwards Decree, Page 40, Claimant Charles Clubine.**
8. Existing place of use **Same as above**
9. Use will be from **As decreed to As decreed** of each year.
10. Use was permitted from **As decreed to As decreed** of each year.
11. Description of proposed works **Dam**
12. Estimated cost of works **\$5,000.00**
13. Estimated time required to construct works **Work finished**
14. Estimated time required to complete the application of water to beneficial use **Completed**
15. Remarks:

By **s/Charles E Ellison**
P.O. Box. 496
Elko Nevada 89801

Compared hf/cmf hf/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of Humboldt River as heretofore appropriated under Proof 00242 as appears in the Humboldt River Decree No. 2804 entered October 20, 1931 and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.824 cubic feet per second, but not to exceed 664.50 acre-feet per irrigation season as designated by the decree.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 29, 2001

Proof of completion of work shall be filed before:

October 29, 2001

Water must be placed to beneficial use on or before:

September 29, 2002

Proof of the application of water to beneficial use shall be filed on or before:

October 29, 2002

Map in support of proof of beneficial use shall be filed on or before:

October 29, 2002

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 29th day of, September A.D. 2000


State Engineer

Completion of work filed AUG 23 2001

Proof of beneficial use filed DEC 06 2001

Cultural map filed WANTED, SEE PROOF MAP 00242.

Certificate No. 15980 Issued DEC 17 2001